



SPECTRUM COMMUNICATIONS
CABLING SERVICES, INC.

Sent via Facsimile, Electronically (ECFS) and U.S Mail

November 22, 2004

Federal Communications Commission
Office of the Secretary
445 – 12th Street, SW
Washington, DC 20554

RE: REQUEST FOR REVIEW; CC DOCKET NO. 02-6
Appeal of the Universal Service Administrative Company (USAC) Decision
Applicant: Corona-Norco Unified School District
Entity #: 143597
Form 470: 703150000435486 (Attachment 1)
Form 471: 362456 (Attachment 2)
FRN's #: 983367, 983388, 983410

To Whom It May Concern:

This letter shall serve as an appeal and request for review to the Schools and Libraries Division's Decision on Appeal – Funding Year 2003-2004, dated November 9, 2004 (Attachment 3) in reference to Corona-Norco Unified School District's ('Corona-Norco') Form 471 application for E-Rate funding program year 6 (FY 2003-2004)

This decision made by the Administrator ('SLD') is a result of an appeal made to the SLD by Spectrum Communications dated August 2, 2004 (Attachment 4), in response to the SLD's Funding Commitment Decision Letter ('FCDL') dated July 27, 2004, which denied funding because of "*similarities in Forms 470*" wherein the SLD had erroneously and inexplicably stated that Spectrum Communications was "*improperly involved in the competitive bidding process*". (Attachment 5)

Both Spectrum Communications and Corona-Norco respectfully ask for reconsideration of the denial and the immediate funding of Corona-Norco's E-Rate Program Year 6 Internal Connections application for funding year 2003-2004.

Referring to the Administrator's Decision on Appeal (Attachment 3), bullet 2 states:

"Upon thorough review of your appeal letter and all relevant supporting documentation, it is determined that Corona-Norco Unified School District's Form 470 (specifically pages 2 and 3) displays striking similarities with the Form 470 of other applicants who selected Spectrum Communications as the service provider"

This paragraph indicates that the 'striking similarities' are contained on pages 2 and 3 of the Form 470. However, a review of Corona-Norco's filed Form 470 shows page 2 as the containing Block 2, questions 7-8 which relate only to 'Telecommunications Services', and page 3 containing Block 2, question 9 which relates only to 'Internet Access'.

Since Spectrum Communications does not provide either Telecommunications Services nor Internet Access, we assume that the 'striking similarities' that USAC alleges are contained in Corona-Norco's Form 470 are in reference to the 'Internal Connections' portion, this is found on pages 4 and 5, Block 2, questions 10-13.

In fact, a review of the Form 470 (OMB 3060-0806, FCC Form 470, May 2003) on the SLD website shows 'Internal Connections' on pages 5 and 6.

We have compared Corona-Norco's Form 470 application to that of all of those applicants who have designated Spectrum Communications on their Form 471's as their selected service provider, as well as the filed Form 470's of many applicants who did not select Spectrum Communications as their service provider (refer to Appendixes A and B).

A comparative analysis does; in fact, show similarities in the Form 470's specifically found in Block 2, sub-section 12 (refer to Appendix B). The FCC intended this area to be used by the applicant to indicate any restrictions or regulations imposed by the applicant upon the vendor. For example, the applicant may require that the service provider be properly licensed, or have a specific amount of proven experience working with school districts, etc.

Additionally, page 11, paragraph titled 'Item 12' of the FCC Form 470 Instructions dated May 2003 located on the SLD website state in part:

"If you are subject to any state or local restrictions, you must check the box in Item 12 and provide a description of the restriction or procedures."

Because almost every customer of Spectrum Communications is located in California, all would be under the State of California procurement law requirements. Therefore, **all Form 470's filed by school districts within California** must contain the same requirements regarding applicable State laws.

For example Corona-Norco's filed Form 470, block 2, question 12, requires among several restrictions imposed, that the selected service provider must "provide evidence of a Valid California low voltage contractors license". In California any contractor who even submits a quote to perform such work must be licensed by the State.

Corona-Norco's Form 470 application like that of many filed Form 470 applications which we reviewed contained simple language similar in description. There are several reasons for these similarities;

Firstly, the California Department of Education ('CDE'), like that of many other states, has a division dedicated to providing education and resources to school districts who desire to participate in the E-Rate program. Additionally, the CDE delegates authority to the County Offices of Education throughout the state to approve the school districts Technology Plan; a requirement set forth by the FCC to participate in the E-Rate program.

In CDE has created the VET (Voluntary E-Rate Training) program. The CDE holds workshops throughout the State. The objectives of the workshops are found in the training handout as follows:

- a. To provide participants with information about preparing to file E-Rate Form 470;
- b. To help participants understand requirements for procurement of products and services;
- c. To demonstrate the online Form 470 and help participants understand the process for completing the Form 470; and
- d. To provide information about preparation in preparing to file the Form 470.

The CDE provides handouts at these workshops, and this information can also be found on-line on the CDE's website. This handout contains 36 pages which show actual screen shots of the SLD's on-line Form 470. It also provides in specific detail the questions asked on the Form 470 and provides examples of how school districts should answer each of the questions.

Specifically in reference to Block 2, sub-section 12, page 22 of the CDE handout states:

"You may want to use this Section to:

- A. Describe local procurement requirements and your purchasing office requirements to help your vendor respond to the request (e.g., CMAS vendors, Web location, etc.)*
- B. Refer to contract code*
- C. Detail any local rules or state Education Code."*

Corona-Norco's filed Form 470 Block 2, sub-section 12, states:

"For Internal Connections: The following five (5) minimum criteria must be met: 1. Must be a CMAS authorized contractor. 2. For wiring, must provide evidence of a valid California low voltage contractors license (C7) 3. All staff working at District must be compliant with Megans Law (DOJ) background check, fingerprinting, etc. 4. Must be bondable and insurable in California 5. Evidence of payment of Prevailing Wages must be provided with all payment requests. Scope of Work for Internal Connection Projects will be sent to all respondents who meet minimum guidelines on December 16, 2002 via E-Mail or Fax Transmission"

All of the five (5) minimum criteria set forth by Corona-Norco in their filed Form 470 **are required by California law**. All school districts who request proposals for Internal Connections work, as well as all service providers who respond to such a request, are subject to the exact requirements as listed in Corona-Norco's Form 470. (Appendix C)

Clearly, the requirements imposed, and the language used here, are in direct response to the information provided as an example contained within the CDE handout. Contrary to the allegation of the SLD, this language and its similarity to that used in other Form 470s by other applicants are not the result of any involvement, improper or otherwise, by Spectrum Communications in the competitive bidding process. Corona-Norco is within its authority to make such a request of bidders. Additionally, Corona-Norco, as well as that of other school districts who used exact or similar language, has attempted to protect the E-Rate funds it receives against waste, fraud, and abuse.

Secondly, many school districts share information with each other. Often time's school districts will review the Form 470s filed by other school districts posted to the SLD's website. They may do this because they wish to save time, or review and copy certain information of other school districts which have been successful in receiving E-Rate funding in prior years.

There are no rules which prohibit school districts from sharing information with each other. They may actually copy each other's E-Rate filings to the extent portions of these filings are also applicable to their individual circumstances. Certainly, the CDE and the SLD have promoted cross-training and sharing of information. Without such dialog many school districts would not, or could not, participate in the E-Rate program because of a lack of resources required to develop a successful filing.

Conversely, the applicant may employ a consultant who, in the interest of time may use the same style of writing, the same language, and/or specify the same requirements in multiple Form 470s.

We agree that some of the applicants, who have selected Spectrum Communications as their service provider, have Form 470's which are similar to each other. There are however, other filed Form 470's of applicants who have not selected Spectrum Communications as their service provider which are similar to those Form 470's as well. These similarities should not be construed as involvement by Spectrum Communications in the competitive bidding process of those applications where Spectrum Communications was the selected service provider.

While we maintain our position of neutrality related to Corona-Norco's and other school district Form 470 filings, we believe that the discussion of applicable rules, regulations and/or laws which affect either the school district or the service provider must be allowed. As this type of information is not harmful, does not restrict the competitive bidding process, and helps to ensure that the applicant(s) and service provider(s) complies with FCC, SLD, State, and local requirements. This opinion seems to be shared by SLD because the SLD provides constant service provider training with the intent of disseminating information to the applicant regarding compliance. Also, the service provider has a substantial interest in ensuring compliance with all rules and laws, because if the applicant should fail to comply with any rule or law the SLD and/or the FCC may seek Commitment Adjustments ('COMAD') from the service provider.

Additionally, many of those Form 470's in which the applicant has selected Spectrum Communications on their Form 471's are located within Riverside County and are part of the same County Office of Education; Riverside County Office of Education ('RCOE'). This is significant because RCOE hosts quarterly meetings for the Information Technology coordinators of each School District within its jurisdiction, and in these meetings provides information related to the E-Rate program, and allows the exchange of information by those persons responsible for the filing of all of the E-Rate Forms.


As we have stated in several appeals which at the time of this writing are still pending either SLD or FCC review, I can attest to the fact that neither I nor any representative from Spectrum Communications had any involvement with the selection and or evaluation process for E-Rate applications undertaken by Corona-Norco or any other applicant. Further, we have not asked nor coerced any applicant to detail specific requirements contained in its Form 470 filing.

Spectrum Communications understands and supports the need for the FCC and the SLD to ensure that service providers are not improperly involved in the competitive bidding process. It is abundantly clear that the similarities among the Form 470s filed by those applicants who selected Spectrum Communications as their service provider are not the result of any improper involvement in the competitive bidding process by Spectrum Communications. Instead the applicants were simply following guidelines provided to them by the CDE, the SLD, and other school districts.

This mistake by the SLD has led to the denial of needed E-Rate funds to Corona-Norco, is unfair and has had a dramatic adverse impact on the students of Corona-Norco who suffer for no reason. I therefore humbly request the FCC to immediately grant this appeal and order the SLD to issue a revised Funding Commitment Decision Letter ('FCDL') to Corona-Norco Unified School District.

The balance of this appeal as well as its attachments, provide further details to substantiate our position. It provides extensive detail regarding the Form 470 process and its subsequent requirements.

Respectfully Submitted,


Robert Rivera
President
Spectrum Communications

APPENDIX A

The following is intended to provide a detailed breakdown of the Form 470.

Specifically, the Administrator's Decision states its reason for denial; (page 2, Attachment 3)

'Upon thorough review of your appeal, it is determined that Rosemead School District's Form 470 displays striking similarities with the Form 470 of other applicants who selected Spectrum Communications as the service provider. Such similarities indicate that the vendor was improperly involved in the competitive bidding process, which is a competitive bidding violation. On appeal, you fail to show that the SLD erred in its initial determination. Consequently, your appeal is denied.'

Both Spectrum Communications and Corona-Norco are unclear as to how or why the SLD believes that Spectrum Communications was improperly involved with the competitive bidding process. We have asked the SLD to specifically identify which similarities are the basis for its conclusion that improper involvement occurred. We have also asked the SLD to explain how those specific similarities inescapably lead to the conclusion that improper involvement in the competitive bidding process occurred. To date, the SLD refused to answer either of these questions or to provide any other information that would add clarity to this matter.

Corona-Norco properly posted to the SLD website its Form 470 on 703150000435486 . The Form 470 is required to be used by all applicants who desire to participate in the E-Rate program.

The Form 470 contains 5 'Blocks', with each Block containing sub-sections of questions related to the Block description as follows:

Block 1: applicant Address and Identifications

- In this block the applicant states their contact information (i.e. name, address, phone number, type of applicant, email address)

Block 2: Summary Description of Needs or Services Required

- In this block the applicant chooses the type of service(s) it desires, Telecommunications Services, Internet Access, and/or Internal Connections. This block also allows the applicant to specify desired quantities of the products or services it requires, if there is an RFP, and if there are any restrictions or regulations imposed upon the service providers.

Block 3: Technology Assessment

- This block is to ensure that the applicant has sufficient resources to utilize the E-Rate funding. For example, Staff development or sufficient quantity of computers, etc.

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Block 4: Recipients of Service

- In this block the applicant certifies that the request of E-Rate funding is allocated to eligible entities and that they will receive the services described in the Form 470 application.

Block 5: Certification and Signature

- In this block the applicant states that it will comply with the rules related to the E-Rate program and that the applicant is authorized to make such a request. This block also contains the required signature of the applicant.

Blocks 1 and 4 are specific to the applicant and no other properly filed Form 470 will or can contain the same information except by the same applicant. An erroneous answer to any of the questions contained in these blocks will result in the Form 470 being denied because it was improperly filed.

Blocks 3 and 5 request information that is typically common among all applicants.

It is Block 2, sub-sections 10, 11, 12 and 13 which are specifically related to Internal Connections funding requests. And the subsequent area of similarities raised by the SLD.

Section 10:

Section 10 is a Yes or No response to the question regarding the existence of an RFP (Request For Proposal). In the case of Spectrum Communications' applicants many of them answer this question differently. Almost half answered this question in the affirmative, indicating that they indeed had an RFP.

In the event that the applicant did not have an RFP and having indicated 'NO' in section 10, the applicant is required to list the Internal Connections Services that they seek and must specify each service and/or function. Every applicant who selected Spectrum Communications answered or 'populated' these categories of services or functions differently due to the varying needs of the sites.

There are no similarities in Section 10.

Section 11:

Section 11 is an optional request and simply indicates a technical contact for the Form 470 request. This may be different than the contact person listed in Block 1 of the Form 470. Unless the applicant was using a consultant or was a member of a consortium, this information would never be the same. And in the case of Spectrum Communications' applicants, none were similar.

There are no similarities in Section 11.

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Section 12:

Section 12 allows the applicant to specify any restrictions or regulations imposed by the applicant on the service provider. Many applicants utilize this area to indicate their requirements of vendors, such as the need to have previous experience, hold a valid contractors license, and ensure that certain local and State laws are complied with.

In almost every application wherein Spectrum Communications was the selected vendor the applicant indicated certain requirements in Section 12. In many cases these requirements were specified in almost exact detail. As indicated in the body of our appeal the reasons for similarities are valid and in no way are indicative of service provider involvement in the competitive bidding process. Many school districts received information on how to file their Form 470 from the California Department of Education ('CDE'), many school districts share information with each other, and some school districts review filed Form 470's of other previously funded school districts.

There are similarities in Section 12. However, to the extent similarities do, in fact, exist among Form 470s that list Spectrum Communications as the service provider, those similarities (1) are the result of similar training conducted by the California Department of Education ('CDE') and other appropriate entities, (2) pertain to information that would not, in any way, provide an unfair advantage to any service provider, (3) do not pertain to an applicant's confidential or proprietary information which, in turn, could suggest an improper relationship between the applicant and the service provider, and (4) do pertain to information that serves to actually protect E-Rate funds from waste, fraud, and abuse. These school districts should not be penalized for providing information which is either required by their local and State laws, or is crucial to protecting E-Rate funding from waste, fraud, abuse.

Section 13:

Section 13 is optional and specifies information if a school district is intending to enter into a multi-year contract or a contract featuring an option for voluntary extensions. Due to the nature of Internal Connections deployment it is uncommon for applicants to enter into multi-year contracts. And this section is normally left blank by most every applicant.

Every Form 470 application wherein Spectrum Communications was the selected vendor had no information indicated in this section.

There are no similarities in Section 13.

APPENDIX B

The following is the language found on the filed Form 470s Block 2, sub-section 12 of several school districts. (Attachment 9)

The following paragraphs in parenthesis appear exactly as listed on the Form 470; there have been no corrections to misspellings or improper phrasing.

The following referenced Form 470s are can be found in Attachments 9.

Form 470s with Spectrum Communications indicated on the Form 471 as the selected service provider:

Corona-Norco Unified School District

“For Internal Connections: The following five (5) minimum criteria must be met: 1. Must be a CMAS authorized contractor. 2. For wiring, must provide evidence of a valid California low voltage contractors license (C7) 3. All staff working at District must be compliant with Megans Law (DOJ) background check, fingerprinting, etc. 4. Must be bondable and insurable in California 5. Evidence of payment of Prevailing Wages must be provided with all payment requests. Scope of Work for Internal Connection Projects will be sent to all respondents who meet minimum guidelines on December 16, 2002 via E-Mail or Fax Transmission”

Banning Unified School District

“For Internal connection projects the following minimum criteria apply: 1. Must possess a valid CMAS contract for specific products and services. See California Public Contract Code 10299(b), or be able to supply products and services from a piggyback public award. 2. Must possess a valid California contractor’s license specific to work performed. See California Business and Professions Code 7028.3. Contractors must pay prevailing wages and supply evidence of payment (certified payroll records upon request). See California Labor Code Section 1771 and 1776. 4. Contractors must provide proof that staff that will work at school campuses have been fingerprinted and have passed a criminal background check. See California Education Code Section 45125.1 5. Contractor must provide Payment and Performance Bond. See California Code 3247. 6. Contractor must supply a minimum of three references for projects of similar size and scope preferably within the K12 environments.”

APPENDIX B (page 2)

Form 470s that DO NOT indicate Spectrum Communications on the Form 471 as the selected service provider:

Garvey Elementary School District

"The District requires... 1. CMAS authorized contractor. 2. Must provide valid California low voltage contractors license. 4. Certified Payroll must be provided 5. Must be bondable and Insurable in the State of Calif. 6. Must do Network Design (includes drawings)."

Desert Sands Unified School District

"For internal connections the following minimum guidelines must be met: 1) CMAS authorize contractor; 2) Must provide evidence of valid California low voltage contractor's license; 3) Must provide evidence of Megan's Law compliance for all staff working at the district; 4) Must be bondable and insurable"

Hemet Unified School District

"1. CMAS authorized – see CA public contract code section 10299(b) 2. Must hold a valid California low voltage (C7) license ? See CA business and profession code section 7028. 3. Hold a general contractors license. 4. Be able to provide certified payroll and payment of prevailing wage/or labor compliance ? See CA labor codes sections 1771 & 1776. 5. Bondable and insurable in CA ? See CA civil code section 3247. 6. Must provide proof that all staff working on school campuses has been finger printed and passed a criminal background check by the Department of Justice ? See CA education code section 45125.1 7. Must provide three references of similar projects of size and scope, preferable K-12 education experience. 8. Provide a Molex 25 year warranty on end-to-end cabling including patch panels and jacks. 9. Must provide a valid SPIN number. 10. Must provide As-built Drawings (Paper and Electronic) in Auto-cad format. 11. Must be Molex Certificated. 12. Must adhere to District cabling specifications (will be provided upon request). 13. All proposals must include line item component pricing; associated labor cost all applicable sales tax."

Los Angeles Unified School District

"For Internal Connections, the District will be utilizing the California Multiple Awards Schedule (CMAS). Respondents must have the appropriate CMAS contracts in place for all equipment and services relating to each of the Request for Information for which the vendor submits a response."

APPENDIX B (page 3)

Form 470s that DO NOT indicate Spectrum Communications on the Form 471 as the selected service provider:

Bellflower Unified School District

“Internal Connections vendors must be California Multiple Awards Schedule approved vendors. Telecomm vendors should be Cal-Net approved vendors, internet access vendors should comply with either or both of the above. Vendors must have k-12 school district experience as well as E-Rate experience are preferred vendors.”

Val Verde Unified School District

“Internal connections are covered under CMAS contract”

APPENDIX C

The criteria detailed in Block 2, question 12 are required by California Law. All school districts who request proposals for Internal Connections work, as well as all service providers who respond to such a request are subject to the exact requirements as indicated.

1. Must be a CMAS authorized contractor.

California Public Contract Code section 20112 and California Education Code section 81651 states:

"For the purpose of securing bids the {school} board shall publish at least once a week for two weeks in some newspaper of general circulation published in the district, or if there is no such paper, then in some newspaper of general circulation, circulated in the county a notice calling for bids, stating the work to be done or materials or supplies to be furnished and the time when and the place where bids will be opened"

This statute requires local agencies to advertise for all bids, however, section 10299(b) allows an exemption to the advertising of bids.

California Public Contract Code section 10299(b) states:

"The director may make the services of the department available, upon the terms and conditions agreed upon, to any school district empowered to expend public funds. These school districts may, without further competitive bidding, utilize contracts, master agreements, multiple awards schedules, cooperative agreements, or other types of agreements established by the department for use by school districts for the acquisition of information technology, goods and services."

While this statute allows California school districts to procure goods and services without advertising, school districts must still comply with FCC rules regarding competitive bidding. The only way to procure projects without having to advertise is to utilize CMAS contracts, however, the school districts must still seek competitive bids; which they do by filing a Form 470, indicating the CMAS requirements (exemption for advertising), and receiving and considering proposals from those service providers who meet the State's CMAS requirements.

APPENDIX C (page 2)

2. Must provide evidence of valid California low voltage contractors license.

California Public Contract Code section 6100(a) states:

"Any state agency or department, as defined in Section 10357, which is subject to this code, shall, prior to awarding a contract for work to be performed by a contractor, as defined by Section 7026 of the Business and Professions Code, verify with the Contractors' State License Board that the person seeking the contract is licensed in the classification appropriate to the work to be undertaken."

California Business and Professions Code section 7028(a) states:

"It is a misdemeanor for any person to engage in the business of act in the capacity of a contractor within this state without having a license therefore, unless the person is particularly exempted from the provisions of this chapter."

3. Must be compliant with Megans Law (DOJ) background check.

California Education Code sections 45125.1 (a) and (d) state:

(a) "Except as provided in subdivisions (b) and (c), if the employees of any entity that has a contract with a school district as defined in Section 41302.5, to provide any of the following services may have any contact with pupils, those employees shall submit or have submitted their fingerprints in a manner authorized by the Department of Justice together with a fee determined by the Department of Justice to be sufficient to reimburse the department for its costs incurred in processing the application:"

(d) "A school district may determine, on a case-by-case basis, to require an entity providing schoolsite services other than those listed in subdivision (a) or those described in Section 45125.2 and the entity's employees to comply with the requirements of this section, unless the district determines that the employees of the entity will have limited contact with pupils."

APPENDIX C (page 3)

4. Must be bondable and insurable in California.

California Civil Code section 3247 (a) states:

"Every original contractor to whom is awarded a contract by a public entity, except as provided in subdivision (d) of Section 7103 of the Public Contract Code, involving an expenditure in excess of twenty-five thousand dollars (\$25,000) for any public work shall, before entering upon the performance of the work, file a payment bond with and approved by the officer or public entity by whom the contract was awarded. A public entity shall state in its call for bids for any such contract that a payment bond is required in the case of such an expenditure."

5. Evidence of payment of Prevailing wages.

California Labor Code section 1771 states:

"Except for public works projects of one thousand dollars (\$1,000) or less, not less than the general prevailing rate of per diem wages for work of similar character in the locality in which the public work is performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work fixed as provided in this chapter, shall be paid to all workers employed on public works."

California Labor Code section 1771.5 states in part:

(1) "All bid invitations and public works contracts shall contain appropriate language concerning the requirements of this chapter."

(3) "Project contractors and subcontractors shall maintain and furnish, at a designated time, a certified copy of each weekly payroll containing a statement of compliance signed under penalty of perjury."

(4) "The awarding body shall review, and, if appropriate, audit payroll records to verify compliance with this chapter."

Attachment 1

FCC Form

Approval by OMB
3060-0806**470**

Schools and Libraries Universal Service Description of Services Requested and Certification Form

Estimated Average Burden Hours Per Response: 4.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before beginning this application.

(To be completed by entity that will negotiate with providers.)

Block 1: Applicant Address and Identifications

Form 470 Application Number: 703150000435486

Applicant's Form Identifier: 2003-04 Telecommunications

Application Status: CERTIFIED

Posting Date: 11/26/2002

Allowable Contract Date: 12/24/2002

Certification Received Date: 11/26/2002

1. Name of Applicant:

CORONA-NORCO UNIF SCH DISTRICT

2. Funding Year:

07/01/2003 - 06/30/2004

3. Your Entity Number

143597

4a. Applicant's Street Address, P.O.Box, or Route Number

2820 CLARK AVE

City

NORCO

State

CA

Zip Code

91760-1903

b. Telephone number

(909) 736- 5000

c. Fax number

(909) 736- 5055

d. E-mail Address

raja@cnusd.k12.ca.us

5. Type Of Applicant

- ☐ Individual School (individual public or non-public school)
- ☒ School District (LEA; public or non-public[e.g., diocesan] local district representing multiple schools)
- ☐ Library (including library system, library branch, or library consortium applying as a library)
- ☐ Consortium (intermediate service agencies, states, state networks, special consortia)

6a. Contact Person's Name: Rosalie Aja

First, fill in every item of the Contact Person's information below that is different from Item 4, above. Then check the box next to the preferred mode of contact. (At least one box **MUST** be checked.)

6b. Street Address, P.O.Box, or Route Number

☒ 2820 CLARK AVE

City

State

Zip Code

NORCO	CA	91760-1903
6c. Telephone Number (909) 736- 5000		
6d. Fax Number (909) 736- 5055		
6e. E-mail Address raja@cnusd.k12.ca.us		

Block 2: Summary Description of Needs or Services Requested

7 This Form 470 describes (check all that apply):

a. ☒ Tariffed services - telecommunications services, purchased at regulated prices, for which the applicant has no signed, written contract. A new Form 470 must be filed for tariffed services for each funding year.

b. ☒ Month-to-month services for which the applicant has no signed, written contract. A new Form 470 must be filed for these services for each funding year.

c. ☒ Services for which a new written contract is sought for the funding year in Item 2.

d. ☐ A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous program year.

NOTE: Services that are covered by a signed, written contract executed pursuant to posting of a Form 470 in a previous program year OR a contract signed on/before 7/10/97 and reported on a Form 470 in a previous year as an existing contract do NOT require filing of a Form 470.

What kinds of service are you seeking: Telecommunications Services, Internet Access, or Internal Connections? Refer to the Eligible Services List at www.sl.universalservice.org for examples. Check the relevant category or categories (8, 9, and/or 10 below), and answer the questions in each category you select.

8 ☒ Telecommunications Services

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

a ☒ **YES**, I have an RFP. It is available on the Web at or via (check one):
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b ☒ **NO**, I do not have an RFP for these services.

If you answered NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantity and/or capacity(e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Telecommunications Services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
800 service	40 sites
900/976 call blocking	40 sites
ATM	40 sites
Basic telephone Service/POTS	40 sites
Cell Phone Service	40 sites
Centrex/Centrex Common Equipment	40 sites
Custom Calling Services	40 sites
Digital Data Service	40 sites
DSL	40 sites
Directory Assistance Charges	40 sites
Distance Learning Circuits	40 sites

DSL/T1/Frac T1	40 sites
Fax Machine Line	40 sites
Frame Relay	40 sites
Digital Transmission Services	40 sites
Homework Hotline Service	40 sites
Inside Wire Service	40 sites
Internet2	40 sites
ISDN	40 sites
LAN Interconnect Service	40 sites
Local Measured Service/Message rate Service	40 sites
Long Distance	40 Sites
MAN	40 sites
Network Access Register	40 sites
On premise equipment	40 sites
Paging Service	40 sites
PCS	40 sites
Pic Change Charge	40 sites
Programmed Audio Service	40 sites
Satellite Service	40 sites
Serial Digital Video Service	40 sites
Trunk	40 sites
Toll Charges	40 sites
Video Service	40 sites
WAN	40 sites
Construction Costs	40 sites
Professional Services	40 sites
Per Diem	40 sites
Programming & Configuration	40 sites
Taxes, Surcharges & Access Charges	40 sites
Dark Fiber	40 sites

9 ☒ Internet Access

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

- a ☒ YES, I have an RFP. It is available on the Web at or via (check one):
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

- b ☒ NO, I do not have an RFP for these services.

If you answered NO, you must list below the Internet Access Services you seek. Specify each **service or function** (e.g., monthly Internet service) and quantity and/or capacity(e.g., for 500 users). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internet Access services. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
Basic unbundled access	40 sites
Bundled Access	40 sites
Domain name registration	40 sites
e-mail service & fees	40 sites
GSP rates	40 sites
WAN	40 sites
Construction Costs	40 sites
Per Diem	40 sites
professional services	40 sites

Programming & Configuration	40 sites
Taxes, surcharges & Access Charges	40 sites

10 ☒ Internal Connections**Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?**

a ☐ **YES**, I have an RFP. It is available on the Web at or via (check one):
☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b ☒ **NO**, I do not have an RFP for these services.

If you answered **NO**, you must list below the Internal Connections Services you seek. Specify each service or function (e.g., local area network) and quantity and/or capacity (e.g., connecting 10 rooms and 300 computers at 56kbps or better). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internal Connections services. Add additional lines if needed.

Service or Function:	Quantity and/or Capacity:
Wireless Lan Equipment	6 per site
Servers & server site, client access licenses, and related items	1 per site
Cabinets & Racks & related items	8 per site
Cabling (all related items; jacks, faceplates, conduit raceway, etc.)	Per technology plan
Network Electronics (routers, switches)	Per technology Plan
Video Distribution	Per technology Plan
Technical Support & Maintenance	40 sites
Backup Equipment (UPS)	Sufficient to cover closets
Change Fees	40 sites
Configuration & Installation Charges	40 sites
Construction Costs	40 sites
Extended Warranty	40 sites
Per Diem	40 sites
Professional Services	40 sites
Shipping Charges	40 sites
Taxes, Surcharges & Access Charges	40 sites
Travel Time	40 sites
Voice/Video over IP Equipment	Per Technology Plan

11 (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the signer of this form.

Name:	Title:
Carol Bento	Coordinator, Information Technology

Telephone number
(909) 736 - 5190

Fax number
(909) 736 - 5055

E-mail Address
cbento@cnsud.k12.ca.us

12. ☒ Check here if there are any restrictions imposed by state or local laws or regulations on how or

when providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or provide Web address where they are posted and a contact name and telephone number for service providers without Internet access.

For Local Telecommunication Services: 1. Must be regulated eligible telecom. carrier in California
For Internal Connections: The following five (5) minimum criteria must be met: 1. Must be a CMAS
authorized contractor 2. For wiring, must provide evidence of a valid California low voltage
contractors license (C7) 3. All staff working at District must be compliant with Megans Law (DOJ)
background check, fingerprinting, etc. 4. Must be bondable and Insurable in California 5. Evidence
of payment of Prevailing Wages must be provided with all payment requests. Scope of Work For
Internal Connection Projects will be sent to all respondents who meet minimum guidelines on
December 16, 2002 via E-mail or Fax Transmission.

13. If you intend to enter into a multi-year contract based on this posting or a contract featuring an option for voluntary extensions you may provide that information below. If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, summarize below (including the likely timeframes).

District is anticipating applying for E-rate discounts for sites that have below 90% discount. Scope of work is conditional upon receiving E-rate discounts.

Block 3: Technology Assessment

14. ☐ **Basic telephone service only:** If your application is for basic local and long distance telephone service (wireline or wireless) only, check this box and skip to Item 16.

15. Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check at least one box in (a) through (e). You may provide details for purchases being sought.

a. Desktop software: Software required ☒ has been purchased; and/or ☒ is being sought.

b. Electrical systems: ☒ adequate electrical capacity is in place or has already been arranged; and/or ☐ upgrading for additional electrical capacity is being sought.

c. Computers: a sufficient quantity of computers ☒ has been purchased; and/or ☒ is being sought.

d. Computer hardware maintenance: adequate arrangements ☒ have been made; and/or ☐ are being sought.

e. Staff development: ☒ all staff have had an appropriate level of training /additional training has already been scheduled; and/or ☒ training is being sought.

f. Additional details: Use this space to provide additional details to help providers to identify the services you desire.

Block 4: Recipients of Service

16. **Eligible Entities That Will Receive Services:**

Check the ONE choice (a,b or c) that best describes this application and the eligible entities that will receive the services described in this application. You will then list in Item 17 the entity/entities that will pay the bills for these services.

a. ☐ Individual school or single-site library.

b. ☐ Statewide application for (enter 2-letter state code) representing (check all that apply):

- ☐ All public schools/districts in the state:
☐ All non-public schools in the state:
☐ All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here. ☐ If checked, complete Item 18.

c. ☒ School district, library system, or consortium application to serve multiple eligible entities:

Number of eligible sites	40
<i>For these eligible sites, please provide the following</i>	
Area Codes (list each unique area code)	Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces
909	279, 736, 739
If your application includes INELIGIBLE entities, check here. <input type="checkbox"/> If checked, complete Item 18.	

17. Billed Entities

List the entity/entities that will be paying the bills directly to the provider for the services requested in this application. These are known as Billed Entities. At least one line of this item must be completed. Attach additional sheets if necessary.

Entity	Entity Number
CORONA-NORCO UNIF SCH DISTRICT	143597

18. Ineligible Participating Entities

Does your application also seek bids on services to entities that are not eligible for the Universal Service Program? If so, list those entities here (attach pages if needed):

--	--	--

Ineligible Participating Entity	Area Code	Prefix
--	------------------	---------------

Block 5: Certification and Signature**19. The applicant includes:(Check one or both)**

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to elementary and secondary schools, colleges and universities).

20. All of the individual schools, libraries, and library consortia receiving services under this application are covered by:

- a. ☐ individual technology plans for using the services requested in the application, and/or
- b. ☒ higher-level technology plans for using the services requested in the application, or
- c. ☐ no technology plan needed; application requests basic local and/or long distance telephone service only.

21. Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):

- a. ☒ technology plan(s) has/have been approved by a state or other authorized body.
- b. ☐ technology plan(s) will be approved by a state or other authorized body.
- c. ☐ no technology plan needed; application requests basic local and long distance telephone service only.

22. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.

23. ☒ I recognize that support under this support mechanism is conditional upon the school(s) or library (ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.

24. ☒ I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. Signature of authorized person: ☒

26. Date (mm/dd/yyyy): 11/26/2002

27. Printed name of authorized person: **Rosalie Aja**
28. Title or position of authorized person: **Supervisor, Business Services-Purchasing**
- 29a. Address of authorized person:
City: State: Zip:
- 29b. Telephone number of authorized person: **(909) 736 - 5051**
- 29c. Fax number of authorized person: **0**
- 29d. E-mail address number of authorized person:

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

Service provider involvement with preparation or certification of a Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the "Service Provider Role in Assisting Customers" at www.sl.universalservice.org/vendor/manual/chapter5.doc or call the Client Service Bureau at 1-888-203-8100.

NOTICE: Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

**SLD-Form 470
P.O. Box 7026
Lawrence, Kansas 66044-7026
1-888-203-8100**

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

**SLD-Form 470
c/o Ms. Smith
3833 Greenway Drive
Lawrence, Kansas 66046
1-888-203-8100**

FCC Form 470
May 2003

[New Search](#)

[Return To Search Results](#)

Attachment 2

**Schools and Libraries Universal Service Program
Services Ordered and Certification Form 471
Application Display**

Block 1: Billed Entity Information

Applicant's Form Identifier: CNUSD
YR03-04

471 Application Number: 362456

Funding Year: 07/01/2003 -
06/30/2004

Billed Entity Number:
143597

Cert. Postmark Date: 01/31/2003

Form Status: CERTIFIED - In
Window

RAL Date: 03/07/2003

Out of Window Letter Date: Not applicable

Name: CORONA-NORCO UNIF SCH DISTRICT
Address: 2820 CLARK AVE
City: NORCO **State:** CA **Zip:** 92860 1903

Contact Name: CAROL BENTO
Address: 2820 CLARK AVE
City: NORCO **State:** CA **Zip:** 92860 1903

Type of Application: SCHOOL DISTRICT

Ineligible Orgs: N

Block 3: Impact of Services Ordered in THIS Application

Number of students to be served: 42000

Number of library patrons to be served:

SERVICE DESCRIPTION	BEFORE ORDER	AFTER ORDER
a. (Schools/districts/consortia only) Telephone service: How many classrooms had phone service before and after your order?	1444	1566
b. High-bandwidth voice/data/video service: How many buildings served before and after your order?	208	227
c. High-bandwidth voice/data/video service: Highest speed to a building before and after your order?	1000mbs	1000mbs
d. Dial-up Internet connections: How many before and after your order?	0	0
e. Dial-up Internet connections: Highest speed before and after your order?	0	0
f. Direct connections to the Internet: How many before and after your order?	1	1
g. Direct connections to the Internet: Highest speed before and after your order?	DS3	DS3
h. Internet access(for schools): How many rooms have Internet access before and after your order?	1214	1336
j. Internet Access: How many computers (or other devices) with Internet access before and after your order?	3800	4202
k. Other technology outcomes: (please specify):	0	0

Block 4: Worksheets

Worksheet A No: 466817

Student Count: 3333

Weighted Product (Sum. Column 8): 2864.4

Shared Discount: 86%

1. School Name: AUBURNDALE INTERMEDIATE SCHOOL

2. Entity Number:

103046

3. Rural/Urban: Urban

4. Student Count: 1353

5. NSLP Students: 764

6. NSLP Students/Students: 56.467%

7. Discount: 80%

8. Weighted Product: 1082.4

1. School Name: HOME GARDENS ELEMENTARY SCH

2. Entity Number:

103036

3. Rural/Urban: Urban

4. Student Count: 830

5. NSLP Students: 819

6. NSLP Students/Students: 98.674%

7. Discount: 90%

8. Weighted Product: 747

1. School Name: JEFFERSON ELEMENTARY SCHOOL

2. Entity Number:

103052

3. Rural/Urban: Urban

4. Student Count: 1150

5. NSLP Students: 1048

6. NSLP Students/Students: 91.130%

7. Discount: 90%

8. Weighted Product: 1035

Block 5: Discount Funding Request(s)

FRN: 983263		FCDL Date:	
11. Category of Service: Internal Connections		12. 470 Application Number: 703150000435486	
13. SPIN: 143012084		14. Service Provider Name: KIS Computer Center	
15. Contract Number: N/A		16. Billing Account Number: 909-736-5050	
17. Allowable Contract Date: 12/24/2002		18. Contract Award Date: 01/14/2003	
19a. Service Start Date: 07/01/2003		19b. Service End Date:	
20. Contract Expiration Date: 06/30/2004			
21. Attachment #: Server-1		22. Block 4 Entity Number: 103036	
23a. Monthly Charges: \$0.00		23b. Ineligible monthly amt.: \$0.00	
23c. Eligible monthly amt.: \$0.00		23d. Number of months of service: 12	
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$0.00			
23f. Annual non-recurring (one-time) charges: \$23,657.25		23g. Ineligible non-recurring amt.: \$0.00	
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$23,657.25			
23i. Total program year pre-discount amount (23e + 23h): \$23,657.25			

23j. % discount (from Block 4): 90
23k. Funding Commitment Request (23i x 23j): \$21,291.53

FRN: 983285 FCDL Date:	
11. Category of Service: Internal Connections	12. 470 Application Number: 703150000435486
13. SPIN: 143012084	14. Service Provider Name: KIS Computer Center
15. Contract Number: N/A	16. Billing Account Number: 909-735-5050
17. Allowable Contract Date: 12/24/2002	18. Contract Award Date: 01/14/2003
19a. Service Start Date: 07/01/2003	19b. Service End Date:
20. Contract Expiration Date: 06/30/2004	
21. Attachment #: SERVER-2	22. Block 4 Entity Number: 103052
23a. Monthly Charges: \$.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$0.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$0.00	
23f. Annual non-recurring (one-time) charges: \$24,877.40	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$24,877.40	
23i. Total program year pre-discount amount (23e + 23h): \$24,877.40	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request (23i x 23j): \$22,389.66	

FRN: 983303 FCDL Date:	
11. Category of Service: Internal Connections	12. 470 Application Number: 703150000435486
13. SPIN: 143012084	14. Service Provider Name: KIS Computer Center
15. Contract Number: N/A	16. Billing Account Number: 909-735-5050
17. Allowable Contract Date: 12/24/2002	18. Contract Award Date: 01/14/2003
19a. Service Start Date: 07/01/2003	19b. Service End Date:
20. Contract Expiration Date: 06/30/2004	
21. Attachment #: SERVER-3	22. Block 4 Entity Number: 103046
23a. Monthly Charges: \$.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$0.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$0.00	
23f. Annual non-recurring (one-time) charges: \$27,347.70	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$27,347.70	
23i. Total program year pre-discount amount (23e + 23h): \$27,347.70	
23j. % discount (from Block 4): 80	
23k. Funding Commitment Request (23i x 23j): \$21,878.16	

FRN: 983367 FCDL Date:	
11. Category of Service: Internal Connections	12. 470 Application Number: 703150000435486
13. SPIN: 143010165	14. Service Provider Name: Spectrum Communications Cabling Services, Inc.
15. Contract Number: N/A	16. Billing Account Number: 909-736-5050

17. Allowable Contract Date: 12/24/2002	18. Contract Award Date: 01/14/2003
19a. Service Start Date: 07/01/2003	19b. Service End Date:
20. Contract Expiration Date: 06/30/2004	
21. Attachment #: HG/MA0304	22. Block 4 Entity Number: 103036
23a. Monthly Charges: \$.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$.00	
23f. Annual non-recurring (one-time) charges: \$4,880.52	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$4,880.52	
23i. Total program year pre-discount amount (23e + 23h): \$4,880.52	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request (23i x 23j): \$4,392.47	

FRN: 983388	FCDL Date:
11. Category of Service: Internal Connections	12. 470 Application Number: 703150000435486
13. SPIN: 143010165	14. Service Provider Name: Spectrum Communications Cabling Services, Inc.
15. Contract Number: N/A	16. Billing Account Number: 909-736-5050
17. Allowable Contract Date: 12/24/2002	18. Contract Award Date: 01/14/2003
19a. Service Start Date: 07/01/2003	19b. Service End Date:
20. Contract Expiration Date: 06/30/2004	
21. Attachment #: JEFF/MA0304	22. Block 4 Entity Number: 103052
23a. Monthly Charges: \$.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$.00	
23f. Annual non-recurring (one-time) charges: \$4,880.52	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$4,880.52	
23i. Total program year pre-discount amount (23e + 23h): \$4,880.52	
23j. % discount (from Block 4): 90	
23k. Funding Commitment Request (23i x 23j): \$4,392.47	

FRN: 983410	FCDL Date:
11. Category of Service: Internal Connections	12. 470 Application Number: 703150000435486
13. SPIN: 143010165	14. Service Provider Name: Spectrum Communications Cabling Services, Inc.
15. Contract Number: N/A	16. Billing Account Number: 909-736-5050
17. Allowable Contract Date: 12/24/2002	18. Contract Award Date: 01/14/2003
19a. Service Start Date: 07/01/2003	19b. Service End Date:
20. Contract Expiration Date: 06/30/2004	
21. Attachment #: AUB/MA0304	22. Block 4 Entity Number: 103046
23a. Monthly Charges: \$.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$.00	

23f. Annual non-recurring (one-time) charges: \$1,829.52	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$1,829.52	
23i. Total program year pre-discount amount (23e + 23h): \$1,829.52	
23j. % discount (from Block 4): 80	
23k. Funding Commitment Request (23i x 23j): \$1,463.62	

Block 6: Certifications and Signature

24a. Schools: Y

24b. Libraries or Library Consortia: N

26a. Individual Technology Plan: N

26b. Higher-Level Technology Plan(s): Y

26c. No Technology Plan Needed:

27a. Approved Technology Plan(s): Y

27b. State Approved Technology Plan: N

27c. No Technology Plan Needed:

[<< Previous](#)

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Attachment 3



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2003-2004

November 9, 2004

Robert Rivera
Spectrum Communications
226 North Lincoln Avenue
Corona, CA 92882

Re: Corona-Norco Unified School District

Re: Billed Entity Number: 143597
 471 Application Number: 362456
 Funding Request Number(s): 983367, 983388, 983410
 Your Correspondence Dated: August 2, 2004

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision regarding your appeal of SLD's Year 2003 Funding Commitment Decision for the application number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one application number, please note that for each application an appeal is submitted, a separate letter is sent.

Funding Request Number: 983367, 983388, 983410
Decision on Appeal: **Denied in full**
Explanation:

- On appeal, you seek reversal of the SLD's decision to deny the funding request for competitive bidding violations. You further affirm that Spectrum Communications simply responded to a solicitation generated by Corona-Norco Unified School District's filing of their Form 470 for their request of Internal Connections and was awarded eight of the eleven E-rate projects. Therefore, you assert that the FRNs were erroneously denied and respectfully request reconsideration of the application.
- Upon thorough review of your appeal letter and all relevant supporting documentation, it is determined that Corona-Norco Unified School District's Form 470 (specifically pages 2 and 3) displays striking similarities with the Form 470 of other applicants who selected Spectrum Communications as the service provider.

Such similarities indicate that the vendor was improperly involved in the competitive bidding process, which is a competitive bidding violation. On appeal, you fail to show that the SLD erred in its initial determination. Consequently, your appeal is denied.

- FCC rules require applicants to submit an FCC Form 470 to USAC for posting on its website. 47 C.F.R. § 54.504(b). The FCC requires applicants to "submit a complete description of the services they seek so that it may be posted for competing service providers to evaluate." Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, FCC 97-157, 570 (rel. May 8, 1997) (Universal Service Order). The FCC requires "the application to describe the services that the schools and libraries seek to purchase in sufficient detail to enable potential providers to formulate bids." Id. 575. SLD's Service Provider Manual indicates that service providers may provide neutral assistance to applicants as they determine what goods and services to seek. Service Provider Manual, Chapter 5, <http://www.sl.universalservice.org/vendor/manual/chapter5.asp>. Once the applicant enters into an agreement(s) with the service provider(s), the applicant submits an FCC Form 471 to USAC. 47 C.F.R. § 54.504(c). The FCC has stated that applicants cannot abdicate control over the application process to a service provider that is associated with the FCC Form 471 for that applicant. Request for Review by Bethlehem Temple Christian School, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., CC Docket Nos. 96-45, 97-21, DA 01-852 6 (rel. Apr. 6, 2001).

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

Cc: Carol Bento
Corona-Norco Unified School District
2820 Clark Avenue
Norco, CA 92860-1903

Attachment 4



SPECTRUM COMMUNICATIONS
CABLING SERVICES, INC.
SENT VIA FACSIMILE, EMAIL AND U.S. MAIL

August 2, 2004

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

RE: Appeal of FCDL for Corona-Norco Unified School District dated July 27, 2004
Applicant: Corona-Norco Unified School District
Entity #: 143597
Form 470: 703150000435486 (Attachment A)
Form 471: 362456 (Attachment B)
FRN's #: 983367, 983388, 983410
Applicant's Form Identifier: CNUSD YR03-04

To Whom It May Concern:

This letter is written to appeal the Schools and Libraries Division, Funding Commitment Decision Letter ('FCDL') dated July 27, 2004, in reference to Corona-Norco Unified School District's ('CNUSD') 471 application for E-Rate funding year 2003-2004 (FY7).

I respectfully ask for reconsideration of the denial and the immediate funding of CNUSD's E-Rate Program Year 6 Internal Connections application for funding year 2003-2004.

Specifically, the Funding Commitment Decision Explanation states the reason for denial:

'Similarities in Forms 470 and selective review responses among applicants associated with this vendor indicate that the vendor was improperly involved in the competitive bidding process.'

The plain interpretation of this explanation implies that our company Spectrum Communications (SPIN 143010165) has been improperly involved with the competitive bidding process which CNUSD undertook for the E-Rate Program Year 6 (2003-2004).

I am unclear as to how or why the SLD believes that my company was improperly involved with the competitive bidding process.

My question is simply, how did the SLD come to the conclusion that my company Spectrum Communications was somehow "improperly involved with the competitive bidding process which CNUSD undertook for the E-Rate Program Year 6 (2003-2004)"?

It is abundantly clear that the SLD believes that my company has had some improper involvement with many of our client's processes. This belief is not predicated on facts.

I can attest to the fact that neither I nor any representative from Spectrum Communications had any involvement with the selection and or evaluation process for E-Rate applications undertaken by CNUSD.

My company simply, and **legally** responded to a solicitation generated by CNUSD's filing of their 470, for their request of Internal Connections, and was subsequently awarded three of the seven E-Rate Internal Connections projects CNUSD has sought funding for.

With the information provided in the reason for denial contained in the FCDL, I have no way of providing any proof to the contrary. I therefore ask for the SLD to state their proof of our improper involvement with CNUSD's competitive bidding process.

My company deserves its due process. For the SLD to simply provide an overly broad statement that we have been improperly involved with the competitive process without any basis for its determination, does not allow Spectrum Communications to contradict the SLD position. How are we to respond other than, "No, we were not involved with any part of CNUSD's competitive process, or evaluation, or decision, or selection"?

The SLD has specifically targeted Spectrum Communications unfairly and without cause.

I therefore request one of two actions of the SLD. Either:

1. Grant this appeal and issue a revised FCDL to Corona-Norco Unified School District.

OR

2. Provide enough information regarding the reasoning of how the SLD has come to its conclusion that Spectrum Communications has been 'improperly involved', so that we can make a coherent, factual argument for appeal.

Over and over my company and our clients have received denials for the same 'explanation', yet the SLD has not elaborated its explanation, and this makes our ability to appeal impractical if not impossible.

Thank you,


Robert Rivera
President/CEO
Spectrum Communications

Attachments

Attachment 5

FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc
Service Provider Identification Number: 143010165

Funding Request Number: 983367
Form 471 Application Number: 362456
Form 470 Application Number: 703150000435486
Name of 471 Applicant: CORONA-NORCO UNIF SCH DISTRICT
Applicant Street Address: 2820 CLARK AVE
Applicant City: NORCO
Applicant State: CA
Applicant Zip: 92860-1903
Entity Number: 143597
Name of Contact Person: CAROL BENTO
Preferred Mode of Contact: EMAIL
Contact Information: cbento@cnusd.k12.ca.us
Funding Year: 2003 (07/01/2003 - 06/30/2004)
Funding Status: Not Funded
Contract Number: N/A
Services Ordered: Internal Connections
Site Identifier: 06 09850 01055
Billing Account Number: 909-736-5050
Allowable Vendor Selection/Contract Date: 12/24/2002
Contract Award Date: 01/14/2003
Earliest Possible Effective Date of Discount: 07/01/2003
Contract Expiration Date: 06/30/2004
Monthly Recurring Charges: \$0.00
Portion of Monthly Recurring Charges that is Ineligible: \$0.00
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00
Annual Non-Recurring Charges: \$4880.52
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$4880.52
Total Program Year Pre-Discount Amount: \$4880.52
Applicant's Approved Discount Percentage: N/A
Funding Commitment Decision: \$0.00 - Bidding Violation
Funding Commitment Decision Explanation: Similarities in Forms 470s and in selective review responses amongst applicants using this service provider suggest service provider involvement in the competitive bidding process.
Technology Plan Approval Status: Approved
Wave Number: 034
Applicant Letter Date: 07/27/2004

FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc
Service Provider Identification Number: 143010165

Funding Request Number: 983388
Form 471 Application Number: 362456
Form 470 Application Number: 703150000435486
Name of 471 Applicant: CORONA-NORCO UNIF SCH DISTRICT
Applicant Street Address: 2820 CLARK AVE
Applicant City: NORCO
Applicant State: CA
Applicant Zip: 92860-1903
Entity Number: 143597
Name of Contact Person: CAROL BENTO
Preferred Mode of Contact: EMAIL
Contact Information: cbento@cnusd.k12.ca.us
Funding Year: 2003 (07/01/2003 - 06/30/2004)
Funding Status: Not Funded
Contract Number: N/A
Services Ordered: Internal Connections
Site Identifier: 06 09850 01057
Billing Account Number: 909-736-5050
Allowable Vendor Selection/Contract Date: 12/24/2002
Contract Award Date: 01/14/2003
Earliest Possible Effective Date of Discount: 07/01/2003
Contract Expiration Date: 06/30/2004
Monthly Recurring Charges: \$0.00
Portion of Monthly Recurring Charges that is Ineligible: \$0.00
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00
Annual Non-Recurring Charges: \$4880.52
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$4880.52
Total Program Year Pre-Discount Amount: \$4880.52
Applicant's Approved Discount Percentage: N/A
Funding Commitment Decision: \$0.00 - Bidding Violation
Funding Commitment Decision Explanation: Similarities in Forms 470s and in selective review responses amongst applicants using this service provider suggest service provider involvement in the competitive Bidding process.
Technology Plan Approval Status: Approved
Wave Number: 034
Applicant Letter Date: 07/27/2004

FUNDING COMMITMENT REPORT

Service Provider Name: Spectrum Communications Cabling Services, Inc
Service Provider Identification Number: 143010165

Funding Request Number: 983410
Form 471 Application Number: 362456
Form 470 Application Number: 703150000435486
Name of 471 Applicant: CORONA-NORCO UNIF SCH DISTRICT
Applicant Street Address: 2820 CLARK AVE
Applicant City: NORCO
Applicant State: CA
Applicant Zip: 92860-1903
Entity Number: 143597
Name of Contact Person: CAROL BENTO
Preferred Mode of Contact: EMAIL
Contact Information: cbento@cnusd.k12.ca.us
Funding Year: 2003 (07/01/2003 - 06/30/2004)
Funding Status: Not Funded
Contract Number: N/A
Services Ordered: Internal Connections
Site Identifier: 06 09850 01046
Billing Account Number: 909-736-5050
Allowable Vendor Selection/Contract Date: 12/24/2002
Contract Award Date: 01/14/2003
Earliest Possible Effective Date of Discount: 07/01/2003
Contract Expiration Date: 06/30/2004
Monthly Recurring Charges: \$0.00
Portion of Monthly Recurring Charges that is Ineligible: \$0.00
Eligible Monthly Pre-Discount Amount for Recurring Charges: \$0.00
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-Discount Amount for Eligible Recurring Charges: \$0.00
Annual Non-Recurring Charges: \$1829.52
Portion of Annual Non-Recurring Charges that is Ineligible: \$0.00
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$1829.52
Total Program Year Pre-Discount Amount: \$1829.52
Applicant's Approved Discount Percentage: N/A
Funding Commitment Decision: \$0.00 - Bidding Violation
Funding Commitment Decision Explanation: Similarities in Forms 470s and in selective review responses amongst applicants using this service provider suggest service provider involvement in the competitive bidding process.
Technology Plan Approval Status: Approved
Wave Number: 034
Applicant Letter Date: 07/27/2004